

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

1010 Washington Blvd, Stamford, CT 06901-2202

Tel: 203.388.9100 Fax: 203.388.9101

*Albany • Baltimore • Boston • Chicago • Dallas • Garden City • Houston • Las Vegas • London • Los Angeles • McLean
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July 6, 2012

VIA ECF

Hon. Cheryl L. Pollack
United States Magistrate Judge
United States District Court
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Diaz v. Portfolio Recovery Associates, LLC
Docket No: 10-cv-3920
Our File No.: 09120.00239

Your Honor:

We represent the defendants in the above-entitled action and write this letter in response to the plaintiff's request for a telephone conference. While we realize that 30 days has passed since we reached a settlement in this action, the plaintiff did not provide a signed copy of his release to our office until June 25, 2012, despite my request for the same on June 11, 2012. At that time we informed the plaintiff's counsel that we could not begin the process of requesting the settlement funds until such time as we had a signed agreement. On June 12, 2012 we agreed, after further communication with plaintiff's counsel, that we would hold the executed release in escrow until the check was provided and cleared the plaintiff's counsel's account.

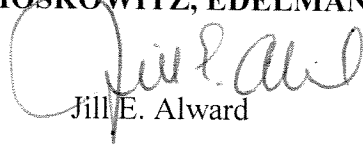
On June 25, 2012 when the executed release was sent to our office, both Attorney Schlanger and I were travelling for depositions on another matter. The executed release was sent to our client on June 28, 2012 upon my return to the office. I have informed the plaintiff's counsel, upon receipt of the notice to this Court this afternoon that the check will take at least 30 days to process from the date that he provided it (i.e. July 25, 2012).

Based on the above, the defendants respectfully request that this Court provide an additional 30 days, up to and including August 7, 2012, within which to resolve this matter and permit the plaintiff's counsel to file a stipulation of dismissal. The defendants are not attempting to prolong this process by any means, but have to follow the protocol required upon receipt of the proper documentation.

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Very truly yours,

WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP



Jill E. Alward

cc: Daniel Schlanger – via ECF